



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/328,877	06/09/99	GURNEY	M 6142.N2-CP

0232/0729

PHARMACIA & UPJOHN COMPANY  
GLOBAL INTELLECTUAL PROPERTY  
301 HENRIETTA STREET  
KALAMAZOO MI 49001

NOT ASSIGNED

**RECEIVED**

1643

AUG 10 1999 DATE MAILED:

07/29/99



**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.16(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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## CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: October 28, 1999

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Julie K. Lyons, Legal Assistant

Name of Person Mailing Paper

Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : ME Gurney, AM Pauley and J Li  
Serial Number : 09/328,877  
Filed : June 9, 1999  
For : Human Sel-10 Polypeptides and Polynucleotides that Encode Them

Commissioner of Patents and Trademarks  
Washington, DC 20231

TRANSMITTAL OF OATH OR DECLARATION (37 CFR 1.63)  
SUBSEQUENT TO THE FILING OF THE APPLICATION UNDER 37 CFR 1.53(f)

Sir:

Transmitted herewith in connection with the patent application identified above is:

- [X] An oath or declaration as required by 37 CFR 1.63;  
[X] A copy of Form PTO-1533 (Notice to File Missing Parts of Application);  
[X] This paper is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.

The fee now due in connection with this application is calculated as follows:

	Fee
Charge for Deferral of the Submission of Oath or Declaration	\$ 130.00
TOTAL FEES	\$ 130.00

**SPECIFIC DEPOSIT ACCOUNT AUTHORIZATION.** Please charge my Deposit Account No. 21-0718 in the amount of the total filing fee above. Triplicate copies of this sheet are enclosed.

**GENERAL DEPOSIT ACCOUNT AUTHORIZATION.** The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or during the pendency of this application or credit any overpayment to Deposit Account No. 21-0718:

- (1) Any additional filing fees or fees for the presentation of additional claims required under 37 CFR 1.16.
- (2) Any patent application processing fees under 37 CFR 1.17.

**No authorization is given to charge the Issue Fee (37 CFR 1.18).**

- [X] Please amend the TRANSMITTAL OF APPLICATION PRIOR TO SUBMISSION OF OATH OR DECLARATION AND/OR FILING FEE, submitted with the above-captioned application, to indicate that the original first and sole inventor or original first and joint inventors are the following:

Mark E. Gurney, Adele M. Pauley, Jinhe Li

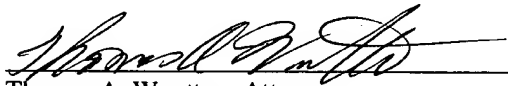
The pertinent information concerning residence, citizenship and post office address is provided in the accompanying declaration or oath.

- [X] This paper is responsive to a Notice from the PTO dated July 29, 1999 for which the period for response has expired or will expire on September 29, 1999.
- [] The Notice of Missing Parts from the PTO has not been received.

**EXTENSION OF TIME.** In the event this paper is not filed prior to the time set for response, applicant(s) hereby petition for an extension of the period for filing the oath or declaration or paying the deferred filing fee to the date of filing this paper, and hereby authorize the Commissioner to charge the extension fee as may be required by 37 CFR 1.17, to Deposit Account No. **21-0718**.

If for any reason the extension requested above is insufficient to extend this period to the date of this paper, applicant(s) hereby petition for the revival of the above-captioned application as having been unintentionally abandoned and authorize the Commissioner to charge the required fees under 37 CFR 1.17 to Deposit Account No. **21-0718**.

Respectfully submitted,

  
Thomas A. Wootton, Attorney  
Registration No. 35,004

Date: 28 2 99

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Attachments: Oath or declaration  
PTO Form 1533 (Notice of Missing Parts)  
Form 53F (in triplicate)